

APPENDIX

Sent to Governor

(March 12, 1979)

S.C.R. 34

Sent to Comptroller

(March 12, 1979)

S.B. 547**THIRTY-FIFTH DAY**

(Tuesday, March 13, 1979)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Bracklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

A quorum was announced present.

The Reverend Karl Gronberg, Gethsemane Lutheran Church, Austin, offered the invocation as follows:

God of all persons -

By Your grace, we experience this moment of history. Fill us with a passion for the truth; a commitment to human rights for all; a willingness to take that essential leap of faith to believe our lives can make a difference in this human drama.

With Your spirit of hope, we live and work this day. Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

House Chamber
March 13, 1979

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT THE HOUSE HAS PASSED THE FOLLOWING:

HB 34, A bill to be entitled An Act relating to the office of bailiff of each district court and statutory county court.

HB 42, A bill to be entitled An Act relating to certain improperly made tax levies; repealing Sections 1(b) and 2 of Chapter 586, Acts of the 65th Legislature, Regular Session, 1977.

HB 354, A bill to be entitled An Act relating to clarifying and procedural changes to the Texas Controlled Substances Act.

S.B. 158 Making an appropriation to Sam Houston State University. (Submitted by Governor as an emergency.)

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

BILL SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill:

S.B. 126 (Signed subject to Sec. 49a,
Article III, Constitution of
State of Texas)

CO-AUTHOR OF SENATE JOINT RESOLUTION 12

On motion of Senator Patman and by unanimous consent, Senator Meier will be shown as Co-author of **S.J.R. 12**.

CO-AUTHOR OF SENATE BILL 318

On motion of Senator Patman and by unanimous consent, Senator Meier will be shown as Co-author of **S.B. 318**.

REPORT OF STANDING COMMITTEE

Senator Moore submitted the following report for the Committee on State Affairs:

S.B. 771
S.B. 629
C.S.S.B. 470 (Read first time)

SENATE BILLS AND RESOLUTION ON FIRST READING

On motion of Senator Doggett and by unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 1139 by Doggett Human Resources
Relating to the removal of architectural barriers to the handicapped in public and certain privately financed buildings, amending paragraphs (d) (1) and (6) of Section 2 of Article 678g, Vernon's Texas Civil Statutes; repealing Sections 5 through 19 of that Act; amending paragraph (c) of Section 20 of that Act; and declaring an emergency.

S.B. 1140 by Doggett Human Resources
Relating to procurement of certain human services; providing penalties.

S.R. 196 by Truan Education
Establishing a special interim committee to make study to achieve coordination and cooperation across state and agency lines so that all migrant children may receive a comprehensive education.

HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

H.B. 926, To Committee on Economic Development.

PRESENTATION OF GUEST

The President recognized Senator Kothmann who presented Mr. Charlie Walker, of Nashville, Tennessee, formerly of San Antonio.

Mr. Walker entertained the Senate with songs, accompanied by guitar.

Senator Kothmann presented a belt buckle, inscribed with the Seal of Texas, to Mr. Walker.

PRESENTATION OF GUESTS

The President recognized former Members of the Senate, Joe Bernal and Jack Strong.

SENATE BILL 387 WITH HOUSE AMENDMENTS

Senator Harris called **S.B. 387** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Amendment No. 1 - Grant

Amend S.B. No. 387, first printing, by striking lines 6-11, page 1, and substituting the following:

"SECTION 1. Title 61, Revised Civil Statutes of Texas, 1925, is amended by adding Article 3916A to read as follows:

Art. 3916A. FEE FOR EXPEDITED HANDLING."

Amendment No. 2 - Evans and Laney

Amend **S.B. 387** third reading by striking line 12 through 17 of page 1, 1st printing and insert the following:

"The Secretary of State is authorized to set and collect a fee for the expedited filing or handling of a document in the U.C.C. division not to exceed \$5.00, and for filing Corporate Charters in the Corporate Charter Division, not to exceed \$10.00. Fees collected hereunder shall be deposited in the State Treasury to the credit of the General Revenue Fund."

The amendments were read.

Senator Harris moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on **S.B. 387** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Harris, Chairman; Moore, Creighton, McKnight and Parker.

SENATE BILL 156 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 156, Relating to creation of the County Court at Law of Wichita County.

The bill was read second time and was passed to engrossment.

SENATE BILL 156 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 156** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed.

SENATE BILL 356 ON SECOND READING

Senator Jones of Taylor moved to suspend the regular order of business to take up for consideration at this time:

S.B. 356, Relating to eligibility for and the amount of tuition equalization grants.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Patman, Price, Santiesteban, Short, Snelson, Traeger, Vale, Williams.

Nays: Blake, Farabee, Mauzy, Parker, Schwartz, Truan.

The bill was read second time.

(Senator Ogg in Chair)

Senator Jones of Taylor offered the following amendment to the bill:

Amend Senate Bill 356 as follows:

In Section I strike subdivision (2) and substitute the following:

“(2) be enrolled for at least one-half of a full course load conforming to an individual degree plan in an approved college or university.”

The amendment was read and was adopted.

Senator Jones of Taylor offered the following amendment to the bill:

In Section I strike subdivision (3) and substitute in lieu thereof the following:

“(3) be required to pay more tuition than is required at a public college or university and be charged no less than the regular tuition required of all students enrolled at the institution.”

The amendment was read and was adopted.

Senator Jones of Taylor offered the following amendment to the bill:

In Section 2 add the following sentence at the end of existing subsection (c):

“A grant to a part-time student shall be made on a pro-rata basis of a full time equivalent.”

The amendment was read and was adopted.

MOTION TO ADJOURN

Senator Patman moved that the Senate stand adjourned until 11:00 o'clock a.m. tomorrow morning.

The motion was lost by the following vote: Yeas 10, Nays 21.

Yeas: Clower, Doggett, Farabee, Longoria, Mauzy, Mengden, Patman, Schwartz, Short, Truan.

Nays: Andujar, Blake, Braecklein, Brooks, Creighton, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, McKnight, Meier, Moore, Ogg, Parker, Price, Santiesteban, Snelson, Traeger, Vale, Williams.

(President in Chair)

SENATE BILL 356 ON SECOND READING

The Senate resumed consideration of **S.B. 356** on its second reading and passage to engrossment.

Question - Shall the bill be passed to engrossment?

Senator Schwartz offered the following amendment to the bill:

Amend **S.B. 356** by adding a new Section 3 as follows:

Section 3. This Act is subject to the Sunset Act and unless continued in existence as provided by that Act, this Act expires effective September 1, 1985.

The amendment was read.

Senator Jones of Taylor raised a Point of Order that the amendment was not germane to the bill because the Sunset Act applies to the expiration of state agencies rather than particular provisions of a law.

The President sustained the Point of Order.

Senator Patman requested a full reading of the bill.

The Secretary of the Senate read the bill in its entirety.

On motion of Senator Jones of Taylor and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by the following vote: Yeas 25, Nays 6.

Yeas: Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Patman, Price, Santiesteban, Short, Snelson, Traeger, Vale, Williams.

Nays: Blake, Farabee, Mauzy, Parker, Schwartz, Truan.

SENATE BILL 356 ON THIRD READING

Senator Jones of Taylor moved to suspend the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 356** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Andujar, Braecklein, Brooks, Creighton, Doggett, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Short, Snelson, Traeger, Vale, Williams.

Nays: Blake, Clower, Farabee, Mauzy, Schwartz, Truan.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 6.

Yeas: Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Patman, Price, Santiesteban, Short, Snelson, Traeger, Vale, Williams.

Nays: Blake, Farabee, Mauzy, Parker, Schwartz, Truan.

MESSAGE FROM THE HOUSE

House Chamber
March 13, 1979

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT THE HOUSE HAS PASSED THE FOLLOWING:

H.C.R. 110 in memory of the Honorable Clinton Kersey, former member of the House of Representatives

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

MEMORIAL RESOLUTIONS

H.C.R. 110 - (Farabee): Memorial resolution for Clinton Kersey.

S.R. 203 - By Snelson: Memorial resolution for Rev. Horace F. Doyle.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 199 - By Mauzy: Extending welcome to Legislative Action Committee and Board of Directors of the Oak Cliff Chamber of Commerce.

S.R. 200 - By Traeger, Longoria: Extending congratulations to Gordiano Vela and Members of the Vela Family.

S.R. 201 - By Traeger: Extending welcome to Ms. Marion Sturdivant, Instructor and Students from Southwest Texas State University, Business Law Class.

S.R. 202 - By Traeger: Extending welcome to Mrs. Linda Aaron, Miss Terry Hill, Miss Linda Claar and Government Students from Roosevelt High School, San Antonio.

S.R. 204 - By Snelson: Extending congratulations to Walt Roeber.

- S.R. 205** - By Clower: Extending welcome to James F. McDonald.
- S.R. 206** - By Clower: Extending congratulations to Lisa Rice.
- S.R. 207** - By Clower: Extending congratulations to Demetria Perkins.
- S.R. 208** - By Clower: Extending congratulations to Salli Martine.
- S.R. 209** - By Clower: Extending congratulations to Marianne Johnston.
- S.R. 210** - By Clower: Extending congratulations to Carra Hood.
- S.R. 211** - By Clower: Extending congratulations to Rebecca Harper.
- S.R. 212** - By Clower: Extending congratulations to Julie Hall.
- S.R. 213** - By Clower: Extending congratulations to Nancy Furlow.
- S.R. 214** - By Clower: Extending congratulations to Annette Fabian.
- S.R. 215** - By Clower: Extending congratulations to Tiffney Bennett.
- S.R. 216** - By Moore: Extending welcome to Students from Junior Class of East Bernard High School.
- S.R. 217** - By Clower: Extending congratulations to Craig Stewart.
- S.R. 218** - By Clower: Extending congratulations to Michael "Wade" Newton.
- S.R. 219** - By Clower: Extending congratulations to Jason King.
- S.R. 220** - By Clower: Extending congratulations to David Kettler.
- S.R. 221** - By Clower: Extending congratulations to Barry Katz.
- S.R. 222** - By Clower: Extending congratulations to Davy Hustace.
- S.R. 223** - By Clower: Extending congratulations to Joe Harp.
- S.R. 224** - By Clower: Extending congratulations to Adam Gravois.
- S.R. 225** - By Clower: Extending congratulations to William Gorney.
- S.R. 226** - By Clower: Extending congratulations to David Davenport.
- S.R. 227** - By Clower: Extending congratulations to Michael Boykin.
- S.R. 228** - By Clower: Extending congratulations to Lee Anderson.
- S.R. 229** - By Clower: Extending congratulations to Ramzi Al-Rashid.
- S.R. 230** - By Clower: Extending welcome to Betty Champion.
- S.R. 231** - By Clower: Extending welcome to Jane and Manship Smith.